

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAILESH NAIK,

Plaintiff,

File no: 1:05-CV-831

v.

HON. ROBERT HOLMES BELL

JO ANN BARNHART,

Defendant.

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**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Defendant's motion for summary judgment (docket #12) is hereby **GRANTED** and judgment is entered in defendant's favor on all of plaintiff's claims with the exception of plaintiff's claims based on the termination of his employment.

IT IS FURTHER ORDERED that plaintiff's employment termination claims are dismissed without prejudice because plaintiff did not exhaust his available administrative

remedies before filing the lawsuit.

Date: November 30, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE